

United State District Court - District of Nevada**Docket Sheet**

8/9/2005

CV-S-04-1694 - RCJ - RJJ

Page 1 of 3

Case Caption

Status

Monica Almeida VS Pfizer, et al.,**Closed****Statistical Information**

Date Filed:	12/10/2004	Jurisdiction:	Diversity
Date Re-Opened:		Jury Demand:	Defendant
County:	Southern	Class Action:	
Plaintiff Diversity:	Citizen of This State	MDL Case #:	
Defendant Diversity:	Business in Another State	ENE:	No
Origin Of Case:		Fee Status:	Fee Paid
Nature Of Suit:	365	Receipt Number:	81638
Cause Code:		Consolidated:	No
Cause:	Personal Injury Product Liability	Arbitration Code:	No arbitration Status or Does Not Qualify
Docket Sheet Notes:			

Closing Date:	08/09/2005	Nature Judgment
Disposition Method:	MDL Transfer - MDL Transfer	Judgment For:
Term Arbitration:		Amount Awarded:
Procedural Progress:	Order Entered	Term Class Action:
Closing Notes:		

United State District Court - District of Nevada

Docket Sheet

8/9/2005

CV-S-04-1694 - RCJ - RJJ

Page 2 of 3

Parties

Counsel

PLAINTIFF

Almeida, Monica

Marc A. Saggese - 007166
Saggese & Associates
3960 Howard Hughes Pkwy
Suite 850
Las Vegas, NV 89109
USA
Phone: 702-796-8882 Fax: 702-382-9309

DEFENDANT

Pfizer Inc.

Angela Bader - 005574
Laxalt & Nomura, Ltd
9600 Gateway Dr
Reno, NV 89521
USA
Phone: 775-322-1170 Fax: 775-322-1865
Steven E. Guinn - 005341
Laxalt & Nomura, Ltd
9600 Gateway Drive
Reno, NV 89501-
USA
Phone: 775-322-1170 Fax: 775-322-1865

United State District Court - District of Nevada

Docket Sheet

8/9/2005

CV-S-04-1694 - RCJ - RJJ

Page 3 of 3

Date Filed	Doc.	Status	Docket Type Docket Name	Docket Entry	Judge	EOD	Clerk
12/14/2004			EVENT RECEIVED	stip for ext of time to reps to complt. Sub to RCJ.		12/15/2004	RJ
12/29/2004			EVENT RECEIVED	Stip for ext of time to resp. (RJJ)		12/29/2004	MZ
04/12/2005			EVENT RECEIVED	stip disc plan/sked ord. Sub to RJJ		04/13/2005	RJ
12/10/2004	1		PETITION FOR REMOVAL	w/complt and sums attch'd obo D (m)		12/15/2004	MJ
12/14/2004	2		CERTIFICATE OF INTERESTED PARTIES	obo Ds (m) (cpy RCJ/RJJ)		12/15/2004	RJ
12/15/2004	3		ORDER MINUTE	ORD re removal: stmnt due 15 dys; jt stat rpt due 30 dys; (see doc). cpys dist.	RCJ	12/15/2004	RJ
12/17/2004	4		ORDER STIPULATION	ORD ext of time to resp to complt until 12/31/04 is GRANTED, (see doc). cpys dist.	RCJ	12/27/2004	RJ
12/23/2004	5		STATEMENT	re removal obo D (m)		12/27/2004	RJ
12/30/2004	6		ORDER	ORD ext of time to 1/18/05 to resp to Ps complt is GRANTED, (see doc). cpys dist.	RJJ	01/03/2005	RJ
01/11/2005	7		STATUS REPORT JOINT	obo D (cpy RCJ/RJJ)		01/14/2005	RJ
01/18/2005	8		ANSWER	w/JD obo Ds (m)		01/19/2005	RJ
04/08/2005	9	Disp.	MOTION/NON DISPOSITIVE	(jnt) for PTO limiting disclosure of conf docs obo Ds (DISPO: Doc. # 9 linked to Doc #: 11		04/08/2005	MJ
04/19/2005	10		ORDER SCHEDULING	ORD DISC due 7/18/05; MTNS due 8/17/05; JTPTO due 9/16/05; (see doc). cpys dist.	RJJ	04/25/2005	MJ
04/20/2005	11		ORDER	ORD PTO limiting disclosure of conf docs (#9) is GRANTED, (see doc). cpys dist.	RJJ	04/25/2005	RJ
05/10/2005	12		NOTICE	of law firm name change, (see doc). obo Ds (m)		05/11/2005	RJ
06/22/2005	13		ORDER	(cc) fr MDL re CTO-8 transfer of case to District of Massachusetts.	MDL	08/09/2005	MJ
08/09/2005	14		TRANSMITTAL	Original file to MDL w/cert copy of docket sheet.		08/09/2005	MJ

I hereby attest and certify on 8/9/05
that the foregoing document is a full, true
and correct copy of the original on file in my
legal custody.

CLERK, U.S. DISTRICT COURT
DISTRICT OF NEVADA

By M. Evans Deputy Clerk



Steven E. Guinn, Esq. (SBN 5341)
Angela M. Bader, Esq. (SBN 5574)
LAXALT & NOMURA, LTD
50 West Liberty Street, Suite 700
Reno, NV 89501
Telephone: (775) 322-1170
Facsimile: (775) 322-1865
Attorneys for Defendant
PFIZER, INC.

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
DEC 10 P 12:57
FBI - LAS VEGAS
PO

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MONICA ALMEIDA, an individual;)	Case No.
)	
Plaintiff,)	CV-S-04-1694-RCJ-RJJ
)	
vs.)	
)	
PFIZER, INC., a New York Corporation,)	
DOES I through X, inclusive, ROE)	
CORPORATIONS I through X inclusive,)	
)	
Defendant.)	
)	

NOTICE OF REMOVAL

TO: THE JUDGES OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

Defendant Pfizer, Inc., by and through its counsel, hereby gives notice of removal of this case to this Honorable Court from the District Court of the Eighth Judicial District Court in Clark County, Nevada in which this action is now pending. In support of this Petition, the Defendant asserts as follows.

BACKGROUND

1. On October 11, 2004, Plaintiff filed this action against the Defendant in the District Court of the Eighth Judicial District, entitled Monica Almeida v. Pfizer, Inc., a New (NY) York Corporation, Does I through X, inclusive, Roes I through X inclusive. The Complaint was served on Defendant on November 10, 2004 and is annexed hereto as Exhibit A.

2. On or before November 30, 2004, Plaintiff agreed to extend Defendant's time to answer, move, or otherwise respond to Plaintiff's Complaint until December 31, 2004. A copy of the Stipulation of Parties is annexed hereto as Exhibit B.

3. This Notice of Removal is timely filed within thirty days of service. 28 U.S.C. § 1446(b).

JURISDICTION

4. This is a civil action over which this Court has original jurisdiction under 28 U.S.C. § 1332(a) because: (1) it is an action between citizens of different states, and (2) the amount in controversy exceeds \$75,000, exclusive of interest and costs.

Citizenship of Parties

5. In the Complaint, Plaintiff states that she "is a resident of Clark County, Nevada".
Complaint, ¶ 1.

6. In the Complaint, Plaintiff describes Defendant Pfizer, Inc. as a New York Corporation. Complaint, ¶ 2. Defendant Pfizer Inc. is in fact a corporation existing under the laws of the State of Delaware and has its principal place of business in the State of New York.

7. The Complaint does not attempt to identify the citizenship of DOES I through X, inclusive or ROE CORPORATIONS I through X inclusive. To the extent that the Complaint refers to these fictitious parties, it mentions only DOES I-V, inclusive who are alleged to be responsible in some manner for the events and happenings referred to and caused damages proximately to Plaintiff as herein alleged and are parties having ownership interest in the affected corporation. Complaint, ¶ 3. The citizenship of these fictitious parties is nonetheless irrelevant for purposes of removal. 28 U.S.C. § 1441(a).

Amount in Controversy

8. In her Complaint, Plaintiff claims that after us[ing] [Defendant prescription drug] Neurontin as a pain suppressant for approximately eight months, Pfizer Complaint, ¶ 9, she began to experience feelings of extreme depression, low energy, lack of appetite, and extreme irritability. Complaint, ¶ 10. Allegedly Plaintiff's depression worsened as her use of Neurontin progressed until she attempted suicide on January 26, 2004. Complaint, ¶ 11. Plaintiff also alleges that her marriage deteriorated due to the severe emotional and psychological side effects of the drug Neurontin. Complaint, ¶ 13.

9. Based on these allegations, Plaintiff advances four separate causes of action: (1) "Negligent Marketing", Complaint, ¶¶ 14-19; (2) "Strict Liability", Complaint ¶¶ 20-24; (3) "Negligent Infliction of Emotional Distress", Complaint, ¶¶ 25-29; and (4) "Intentional Infliction of Emotional Distress", Complaint ¶¶ 30-33. In support of her fourth cause, Plaintiff also alleges that "Defendant acted recklessly and intentionally by marketing [Neurontin] for unapproved and potentially harmful uses and that Defendant's extreme and outrageous conduct was the cause of Plaintiff's sever[e] emotional distress. Complaint, ¶¶ 31-32.

10. For each of these causes of action, Plaintiff states that the acts of Defendant "justify" an award of damages in excess of \$10,000.00. Complaint, ¶¶ 19, 24, 29, 33.

11. Similarly, Plaintiff concludes her Complaint by seeking relief in excess of forty thousand dollars, including separate and distinct claims for: (1) "General Damages in excess of \$10,000.00", (2) "Special Damages in excess of \$10,000.00", (3) "Punitive Damages in excess of \$10,000.00", and (4) "Economic Damages in excess of \$10,000.00". Complaint at 5-6.

12. Plaintiff also seeks additional indeterminate damages including separate and distinct claims for: (1) "an award of attorney's fees and costs", (2) "an amount to be determined

1 at a later date for future medical expenses", and (3) "[s]uch other and further relief as the Court
2 may deem just and proper". Complaint at 5-6.

3 13. If awarded, the damages sought and described by Plaintiff in this action are likely
4 to exceed seventy-five thousand dollars.

5 **CONCLUSION**


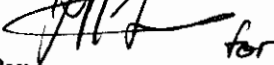
6 14. This case is removable pursuant to Title 28, United States Code, Sections 1441(b)
7 and 1332(a) based on diversity of citizenship and an amount in controversy that exceeds
8 seventy-five thousand dollars.
9

10 15. Written notice of the filing of this Notice will be given to counsel for Plaintiff and
11 notice will be promptly filed with the Clerk of the District Court of the Eighth Judicial District
12 in Clark County, Nevada.

13 WHEREFORE, Defendant respectfully request the above-captioned action now pending
14 against it in the District Court for Eighth Judicial District in Clark County, Nevada, be removed
15 to this Court.
16

17 DATED this 10 day of December, 2004.

18 LAXALT & NOMURA, LTD.

19  # 9197
20 By:  for

21 Steven E. Guinn (SBN 5341)
22 Angela M. Bader (SBN 5574).
23 50 W. Liberty St., Suite 700
24 Reno, Nevada 89501
25 Attorneys for Defendant
26 PFIZER, INC.
27
28

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of LAXALT & NOMURA, LTD., and that on this 10th day of December, 2004, I caused a true and correct copy of the foregoing to be served:


XX (BY MAIL) on all parties in said action, by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. At the Law Offices of Laxalt & Nomura, mail placed in that designated area is given the correct amount of postage and is deposited that same date in the ordinary course of business, in a United States mailbox in the City of Las Vegas, County of Clark, Nevada.

_____ (BY PERSONAL DELIVERY) by causing a true copy thereof to be hand delivered this date to the addressee(s) at the address(es) set forth below.

_____ (BY FACSIMILE) on the parties in said action by causing a true copy thereof to be telecopied to the number indicated after the address(es) noted below.

addressed as follows:

MARC A. SAGGESE, ESQ.
SAGGESE & ASSOCIATES, LTD.
3960 Howard Hughes Parkway, Suite 850
Las Vegas, Nevada 89109
Telephone: (702) 796-8882
Attorney for Plaintiff


An Employee of LAXALT & NOMURA



CT System

Service of Process Transmittal Form

Reno, Nevada

11/10/2004

Via Federal Express (2nd Day)

TO: Allen P Waxman
Pfizer Inc.
M.S. 150/02/36
235 East 42nd Street
New York, NY 10017-5755
EMAIL: ALLEN.P.WAXMAN@PFIZER.COM

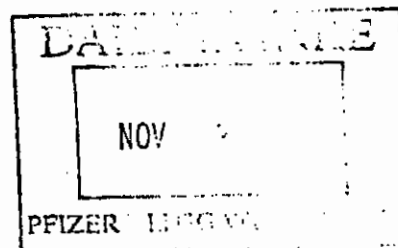
RE: PROCESS SERVED IN NEVADA

FOR Pfizer Inc. Domestic State: De

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

- 1. TITLE OF ACTION:** Monica Almeida, Ptf. vs PFIZER, INC., et al, Defs.
- 2. DOCUMENT(S) SERVED:** Summons and Complaint
- 3. COURT:** District Court, Clark County, Nevada
Case Number A493448
- 4. NATURE OF ACTION:** Seeks damages in excess of \$40,000, court costs, etc. for use of Neurontin drug marketed as a pain suppressant which she used for chronic lower back pain; however drug caused/ worsened her depression until she attempted suicide on January 26, 2004
- 5. ON WHOM PROCESS WAS SERVED:** The Corporation Trust Co. of Nevada, Reno, Nevada
- 6. DATE AND HOUR OF SERVICE:** By Process server on 11/10/2004 at 14:30
- 7. APPEARANCE OR ANSWER DUE:** 20 days
- 8. ATTORNEY(S):** Marc A. Saggese Esq. 702-796-8882
Saggese & Associates Ltd.
3960 Howard Hughes Parkway
Suite 850
Las Vegas, NV 89109

9. REMARKS:



SIGNED CT Corporation System

PER Supervisor of Process /SP
ADDRESS 6100 Neil Road
Suite 500
Reno, NV 89511
SOP WS 0006762877

Information contained on this transmittal form is recorded for C T Corporation System's record keeping purposes only and to permit quick reference for the recipient. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information that can be obtained from the documents themselves. The recipient is responsible for interpreting the documents and for taking the appropriate action.

2:30
11-10-04

SUMM
MARC A. SAGGESE, ESQ.
Nevada Bar No. 7166
SAGGESE & ASSOCIATES, LTD.
3960 Howard Hughes Parkway, Suite 850
Las Vegas, Nevada 89109
(702) 796-8882

ATTORNEY FOR PLAINTIFF

DISTRICT COURT
CLARK COUNTY, NEVADA

MONICA ALMEIDA, an individual;

Case No.: A493448

Plaintiff,

Dept.No: VII

vs.

PFIZER, INC., a New York Corporation,
DOES I through X, inclusive, ROE
CORPORATIONS I through X inclusive,

SUMMONS

Defendant.

**NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.
READ THE INFORMATION BELOW.**

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you exclusive of the day of service, you must do the following:
 - a. File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of this Court.
 - b. Serve a copy of your response upon the attorney whose name and address is shown below.
2. Unless you respond, your default will be entered upon application of the Plaintiff and this Court may enter a judgment against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.

- 1
2 3. If you intend to seek the advice of an attorney in this matter, you should do so
3 promptly so that your response may be filed on time.

4 Issued at the direction of:

5 MARC A. SAGGESE, ESQ.
6 Nevada Bar No. 7166
7 SAGGESE & ASSOCIATES, LTD.
8 3960 Howard Hughes Parkway, Suite 850
9 Las Vegas, Nevada 89109
10 (702) 796-8882
11 ATTORNEY FOR PLAINTIFF

12 By: 

13 CLERK OF THE COURT

14 GILLIAN COLVIN

15 OCT 13 2004

16 [Seal of the Court]
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1 COMP
2 MARC A. SAGGESE, ESQ.
3 Nevada Bar No. 7166
4 SAGGESE & ASSOCIATES, LTD.
3960 Howard Hughes Parkway, Suite 850
Las Vegas, Nevada 89109
(702) 796-8882

5 ATTORNEY FOR PLAINTIFF

FILED

OCT 11 3 55 PM '04

Anthony B. Saggiessa
CLERK

6 DISTRICT COURT
7 CLARK COUNTY, NEVADA
8

9 MONICA ALMEIDA, an individual;
10

11 Plaintiff,

12 vs.

13 PFIZER, INC., a New York Corporation, DOES
14 I through X, inclusive, ROE CORPORATIONS
15 I through X inclusive,
16

17 Defendant.
18

Case No.:

A 493448

Dept. No.:

VII

19
20 COMPLAINT

21 COMES NOW, MONICA ALMEIDA, hereinafter referred to as "Plaintiff", by and
22 through her attorney of record, MARC ANTHONY SAGGESE, ESQ., of the Law Firm of
23 SAGGESE & ASSOCIATES, LTD., and for the Plaintiff's cause of action against the
24 Defendants, and each of them, alleges as follows:
25

26 GENERAL ALLEGATIONS

27 1. That Plaintiff, Monica Almeida, is a resident of Clark County, Nevada.
28

1 2. That Defendant, Pfizer, Inc., is, upon information and belief, a New York
2 Corporation.

3 3. The true names, and capacities, whether individual, corporate, associate, or
4 otherwise of Defendants, DOES I-V, inclusive, are unknown to Plaintiff and who, therefore, sues
5 said Defendants by said fictitious names. Plaintiff is informed and believes and thereon alleges
6 that each of the Defendants designated as DOES are responsible in some manner for the events
7 and happenings referred to and caused damages proximately to Plaintiff as herein alleged and are
8 parties having ownership interest in the affected corporation. Plaintiff will ask leave of the Court
9 to amend this Complaint to insert the true names and capacities of DOES I-V when the same
10 have been ascertained and to join such Defendants in this action.
11

12 4. That Jurisdiction and Venue are proper in this Court.
13

14 5. That Defendant is the manufacturer and distributor of pharmaceuticals.
15

16 6. That during the years 2002 through 2003, Plaintiff sought medical care for her
17 chronic lower back pain.

18 7. That Plaintiff's physician prescribed Plaintiff the drug, Neurontin, which was
19 marketed by Defendant Corporation as a pain suppressant.

20 8. That Defendant Corporation widely marketed Neurontin as a pain suppressant
21 despite the fact that this was not one of the Food and Drug Administration approved uses of this
22 drug.

23 9. That Plaintiff continued to use Neurontin as a pain suppressant for approximately
24 eight months.
25

26 10. That three months into Plaintiff's use of this drug, she began to experience
27 feelings of extreme depression, low energy, lack of appetite, and extreme irritability.
28

1 11. That Plaintiff's depression worsened as her use of Neurontin progressed until she
2 attempted suicide on January 26, 2004.

3 12. That, since this incident, Plaintiff has discontinued her use of the drug, Neurontin,
4 and her depression has virtually disappeared.

5 13. That, Plaintiff's marriage deteriorated due to the severe emotional and
6 psychological side effects of the drug Neurontin.
7

8
9 **FIRST CAUSE OF ACTION**

10 **(Negligent Marketing)**

11 14. Plaintiff re-alleges and incorporates by reference each and every allegation
12 contained in paragraphs 1 through 13 as though fully set forth herein.

13 15. That Defendant had a duty to exercise ordinary care as a reasonable corporation
14 would under similar circumstances, i.e. a company engaged in the marketing of medication
15 according to FDA approved uses.

16 16. That Defendant breached this duty by mass marketing this drug for uses that were
17 not expressly approved by the FDA.

18 17. That Defendant's breach did cause Plaintiff to attempt to take her life after being
19 prescribed Neurontin pursuant to Defendant's marketing of the drug.

20 18. That Defendant's breach caused deterioration to Plaintiff's way of life and
21 subsequent destruction of her marriage.

22 19. Plaintiff is informed and believes that the acts of Defendant were negligent and
23 that these acts were done with a careless disregard for the rights, welfare and safety of the
24 Plaintiff, justifying an award of damages in excess of \$10,000.00.

25

26

27

28

SECOND CAUSE OF ACTION

(Strict Liability)

20. Plaintiff re-alleges and incorporates by reference each and every allegation contained in paragraphs 1 through 19 as though fully set forth herein.

21. That Defendant marketed the drug, Neurontin, for, among other uses, chronic pain control.

22. That Defendant marketed the drug, Neurontin.

23. That Plaintiff used the drug, Neurontin, as prescribed, without an adequate warning of the possible side effects, known to the Defendant.

24. Plaintiff is informed and believes that the acts of Defendant justify an award of damages in excess of \$10,000.00.

THIRD CAUSE OF ACTION

(Negligent Infliction of Emotional Distress)

25. Plaintiff re-alleges and incorporates by reference each and every allegation contained in paragraphs 1 through 24 as though fully set forth herein.

26. That Defendant acted recklessly through its act and/or omission in conscious disregard of a legal duty to Plaintiff and the consequences of Defendant's failure to exercise due care caused Plaintiff physical and emotional injury.

27. That Defendant's conduct was the sole and proximate cause of Plaintiff's physical and emotional injury causing Plaintiff severe emotional distress.

28. Plaintiff is informed and believes that the acts of the Defendant were negligent and that these acts were done with careless disregard for the rights, welfare, and safety of the Plaintiff.

29. Plaintiff is informed and believes that the acts of Defendant were negligent and that these acts were done with a careless disregard for the rights, welfare and safety of the Plaintiff, justifying an award of damages in excess of \$10,000.00.

....

....

FOURTH CAUSE OF ACTION

(Intentional Infliction of Emotional Distress)

30. Plaintiff re-alleges and incorporates by reference each and every allegation contained in paragraphs 1 through 29 as though fully set forth herein.

31. That Defendant acted recklessly and intentionally by marketing the drug, Neurontin, for uses which it knew the FDA had not approved it for and for uses that Defendant knew could be harmful to those using this drug.

32. That Defendant's extreme and outrageous conduct was the cause of Plaintiff's several emotional distress.

33. Plaintiff is informed and believes that the acts of Defendant were done with a intentional disregard for the rights, welfare and safety of the Plaintiff, justifying an award of damages in excess of \$10,000.00.

WHEREFORE, the Plaintiff prays for each and every aforementioned cause of action, the following relief against the Defendants:

1. For General Damages in excess of \$10,000.00,
2. For Special Damages in excess of \$10,000.00,
3. For Punitive Damages in excess of \$10,000.00,
4. For Economic Damages in excess \$10,000.00,
5. For an award of attorney's fees and costs,
6. For an amount to be determined at a later date for future medical expenses; and

....

....

....

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....

....


....

....

1 7. Such other and further relief as the Court may deem just and proper.

2 DATED this 1st day of October, 2004.

3
4
5 Respectfully Submitted by:

6
7
8
9 
10 MARC A. SAGGESE, ESQ.
11 Nevada Bar No. 7166
12 SAGGESE & ASSOCIATES, LTD.
13 3960 Howard Hughes Parkway, Suite 850
14 Las Vegas, Nevada 89109
15 (702) 796-8882
16
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27
28

CRISTALLI & SAGGESE
ATTORNEYS AT LAW

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Eric Zisau	Marc Sagge
COMPANY:	DATE:
Davis, Polk & Wardwell	12/8/04
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(212) 450-3511	3
RE:	YOUR REFERENCE NUMBER:
Almeida	

☐ URGENT ☒ FOR REVIEW ☐ PER OUR CONVERSATION ☐ PLEASE REPLY ☐ HARD COPY WILL FOLLOW

NOTES/COMMENTS:

Almeida stip you requested.

IMPORTANT: The information contained in this facsimile transmission is confidential information and may be attorney/client privileged. It is intended only for the use of the individual or entity named above. ANY DISTRIBUTION OR COPYING OF THIS MESSAGE IS PROHIBITED except by the intended recipient. Attempts to intercept this message may subject the interceptor to fines, imprisonment and/or civil damages.

FILED

NOV 30 4 20 PM '04

Antony J. Ruggione
CLERK

1 STIP
2 MARC ANTHONY SAGGESE, ESQ.
3 Nevada Bar No. 007166
4 CRISTALLI & SAGGESE, LTD.
3960 Howard Hughes Parkway, #850
Las Vegas, Nevada 89109
(702) 796-8882

5 Attorney for Plaintiff

6 DISTRICT COURT
7 CLARK COUNTY, NEVADA
8

9 MONICA ALMEIDA,

10 Plaintiff,

11 vs.

12 PFIZER, INC., A New York
13 Corporation, DOES I through
14 X, inclusive, ROE Corporations
I through X inclusive,

15 Defendant.

CASE NO.: A493448

DEPT. NO.: VII

STIPULATION OF PARTIES
EXTENDING TIME FOR DEFENDANT
TO FILE AND SERVE A RESPONSIVE
PLEADING

16 IT IS HEREBY STIPULATED between the undersigned counsel for Defendant, Pfizer,
17 Inc. and Plaintiff Monica Almeida as follows:


- 18 1. Whereas on October 11, 2004, Plaintiff filed the above-captioned action in this
19 Court, and the Complaint was served on Defendant on November 1, 2004.
20 2. Whereas Plaintiff has agreed to extend Defendant's time to respond to Plaintiff's
21 Complaint.
22
23 ...
24 ...
25 ...
26 ...
27 ...
28 ...

1 3. Plaintiff hereby stipulates that Defendant shall have until December 31, 2004 to
2 answer, move or otherwise respond to Plaintiff's Complaint.

3 DATED this 30th day of November, 2004.
4

5 DAVIS POLK & WARDWELL

CRISTALLI & SAGGESE, LTD.

6
7 
8 James P. Rouhandeh, Esq.
9 James E. Murray, Esq.
10 450 Lexington Avenue
New York, New York 10017

11 
Marc Anthony Saggese, Esq.
3960 Howard Hughes Pkwy. #850
Las Vegas, Nevada 89109

12 Attorneys for Defendant

Attorney for Plaintiff